KA / BG-GPO/2515/WPP-47/2006-2008



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೪೨	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ಫೆಬ್ರವರಿ ೧, ೨೦೦೭ (ಮಾಘ ೧೨, ಶಕ ವರ್ಷ ೧೯೨೮)	ಸಂಚಿಕೆ ೫

ಭಾಗ – ४

ರಾಜ್ಯದ ವಿಧೇಯಕಗಳ ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ರಾಜ್ಯದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರದ ಮತ್ತು ರಾಜ್ಯದ ಶಾಸನಗಳ ಮೇರೆಗೆ ರಾಜ್ಯ ಸರ್ಕಾರವು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ರಾಜ್ಯಾಂಗದ ಮೇರೆಗೆ ರಾಜ್ಯಪಾಲರು ಮಾಡಿದ ನಿಯಮಗಳು, ಹಾಗೂ ಕರ್ನಾಟಕ ಉಚ್ಚ ನ್ಯಾಯಾಲಯವು ಮಾಡಿದ ನಿಯಮಗಳು.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 50 ಕೇಶಾಪ್ರ 2006, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 3ನೇ ಜನವರಿ 2007

2006ನೇ ಸಾಲಿನ ಸೆಪ್ಟೆಂಬರ್ 23ನೇ ದಿನಾಂಕದ ಭಾರತದ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ– II ಸೆಕ್ಷನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Juvenile Justice (Care and Protections of Children) (Amendment) Act, 2006 (Act 33 of 2006) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ

THE JUVENILE JUSTICE (CARE AND PROTECTIONS OF CHILDREN) AMENDMENT ACT, 2006

A

ACT

to amend the Juvenile Justice (Care and Protection of Children) Act, 2000.

Be it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:

1. Short title : This Act may be called the Juvenile Justice (Care and Protction of Children) Amendment Act, 2006.

2. Amendment of long title: In the Juvenile Justice (Care and Protection of Children) Act, 2000 (56 of 2000) (hereinafter referred to as the principal Act,) in the long title, for the words "through various institutions established under this enactment", the words "and for matters connected there with or incidental thereto" shall be substituted.

3. Amendment of section 1: In section 1 of the principal Act,-

i) in the marginal heading, for the words "and commencement", the words, "commencement and application" shall be substituted;

ii) after sub-section(3), the following sub-section shall be inserted, namely:

"(4) Notwithstanding anything contained in any other law for the time being in force, the provisions of this Act shall apply to all cases involving detention, prosecution, penalty or sentence of imprisonment of juveniles in conflict with law under such other law".

4. Amendment of section 2: In section 2 of the principal Act,-

(i) after clause (a), the following clause shall be inserted, namely:

'(aa) "adoption" means the process through which the adopted child is permanently separated from his biological parents and become the legitimate child of his adoptive parents with all the rights, privileges and responsibilities that are attached to the relationship;';

(ii) in clause (d),-

(I) after sub-clause(i), the following sub-clause shall be inserted, namely:

"(ia) who is found begging, or who is either a street child or a working child,"

(II) in sub-clause (v), after the word 'abandoned', the words 'or surrendered' shall be inserted;

(iii) in clause (h), for the words "competent authority", the words "State Government on the recommendation of the competent authority" shall be substituted;

(iv) for clause (I), the following clause shall be substituted, namely:-

'(I) "juvenile in conflict with law" means a juvenile who is alleged to have committed an offence and has not completed eighteenth year of age as on the date of commission of such offence;';

(v) clause (m) shall be omitted.

5. Omission of certain expressions: Throughout the principal Act, the words "local authority", "or local authority" and "or the local authority", wherever they occur, shall be omitted.

6. Amendment of section 4: In section 4 of the principal Act, in sub-section (I), for the words "by notification in the Official Gazette, constitute for a district or a group of districts specified in the notification",the words "within a period of one year from the date of commencement of tje Juvenile Justice (Care and protection of Children) Amendment Act, 2006, by notification in the Official Gazette, constitute for every district" shall be substituted.

7. Amendment of section 6: In section of the principal Act, in sub-section(I), the words "or a group of districts" shall be omitted.

8. Insertion of new section 7A: After section 7 of the principal Act, the following section shall be inserted, namely:

Procedure to be followed when claim of juvenility is raised before any court : "7A. (I) whenever a claim of juvenility is raised before any court or a court is of the opinion that an that an accused person was a juvenile on the date of commission of the offence, the court shall make an inquiry, take such evidence as may be necessary (but not an affidavit) so as to determine the age of such person, and shall record a finding whether the person is a juvenile or a child or not, stating his age as nearly as may be:

Provided that a claim of juvenility may be raised before any court and it shall be recognised at any stage, even after final disposal of the case, and such claim shall be determined in terms of the provisions contained in this Act and the rules made thereunder,even if the juvenile has ceased to be so on or before the date of commencenment of this Act.

(2) If the court finds a person to be a juvenile on the date of commission of the offence under sub-section (1), it shall forward the juveile to the Board for passing appropriate order, and the sentence if any, passed by a court shall be demed to have no effect."

9. Amendment of section 10: In section 10 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:

"(1) As soon as a juevenile in conflict with law is apprehended by police, he shall be placed under the charge of the special juvenile police unit or the designated police officer, who shall produce the juvenile before the Board without any loss of time but within a period of twenty-four hours of his apprehension excluding the time necessary for the journey, from the place where the juvenile was apprehended, to the Board:

Provided that in no case, a juvenile in conflict with law be placed in a police lockup or lodged in a jail,"

10. Amendment of section 12: In section 12 of the principal Act, in sub-section (1), after the words "with or without surety" , the words " or placed under the supervision of a Probation Officer or under the care of any fit institution or fit person" shall be inserted.

11. Amendment of section 14: Section 14 of the principiapl Act shall be renumbered as sub-section (1) thereof, and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:

"(2) The Chief Judicial Magistrate or the Chief Metropolitan Magistrate shall review the pendency of cases of the Board at every six months, and shall direct the Board to increase the frequency of its sittings or may cause the constitution of additional Boards",

12. Amendment of section 15: In section 15 of the principal Act, in sub-section (1), for clause (g), the following clause shall be substituted, namely:

"(g) make an order directing the juvenile to be sent to a special home for a period of three years:

Provided that the Board may, if it is satisfied that having regard to the nature of the offence and the circumstances of the case, it is expedient so to do, for reasons to be recorded, reduce the period of stay to such period as it thinks fit."

13. Amendment of section 16 : In section 16 of the principal Act,-

(i) in sub-section (1), for the words "or life imprisonment", the words "or imprisoment for any term which may extend to imprisonment for life" shall be substituted;

(ii) in sub-section (2), for the proviso, the following proviso shall be substituted, namely:

"Provided that the period of detention so ordered shall not exceed in any case the maximum period provided under section 15 of this Act."

14. Amendment of section 20: In section 20 of the principal Act, the following proviso and Explanation shall be inserted, namely:

"Provided that the Board may, for any adequate and special reason to be mentioned in the order, review the case and pass appropriate order in the interest of such juvenile.

Explanation : In all pending cases including trial, revision, appeal or any other criminal proceedings in respect of a juvenile in conflict with law, in any court, the determination of juvenility of such a juvenile shall be in terms of clause (1) of section 2, even if the juvenile ceases to be so on or before the date of commencement of this Act and the provisions of this Act shall apply as if the said provisions had been in force, for all purposes and at all material times when the alleged offence was committed".

15 Substitution of new section for section 21: For section 21 of the principal Act, the following section shall be substituted, namely:

"21. Prohibition of publication of name, etc., of juvenile in conflict with law or child in need of care and protection involved in any proceeding under the Act 21: (1) No report in any newspaper, magazine, news-sheet or visual media of any inquiiry regarding a juvenile in conflict with law or a child in need of care and protection under this Act shall disclose the name, address or school or any other particulars calculated to lead to the identification of the juvenile or child nor shall any picture of any such juvenile or child be published:

Provided that for reasons to be recorded in writing, the authority holding the inquiry may permit such disclosure, if in its opinion such disclosure is in the interest of the juvenile or the child.

(2) Any person who contravenes the provisions of sub-section (1), shall be liable to a penalty which may extend to twenty-five thousand rupees."

16 Amendment of section 29: In section 29 of the principal Act, in sub-section (1), for the words "by notification in Official Gazette, constitute for every district, or group of districts specified in the notification", the words "within a period of one year from the date of commencement of the Juveile Justice (Care and Protection of Children) Amendment Act, 2006, by notification in the Official Gazette, constitute for every district" shall be substituted.

17. Amendment of section 32 : In section 32 of the principal Act,

(a) in sub-section (1),

(i) in clause (iv), the words " autorised by the State Government" shall be omitted;

(ii) the following proviso shall be inserted at the end, namely:

"Provided that the child shall be produced before the Committee without any loss of time but within a period of twenty-fours excluding the time necessary for the journey",

(b) in sub-section (2), the words "to the police and" shall be omitted.

18. Amendment of section 33 : In section 33 of the principal Act,

(a) in sub-section (1), the words " or any police officer or special juvenile police unit or the designated police officer" shall be omitted;

(b) for sub-section (3), the following sub-sections shall be substituted, namely:

"(3) The State Government shall review the pendency of cases of the Committee at every six months, and shall direct the Committee to increase the frequency of its sittings or may cause the constitution of additional Committees.

(4) After the completion of the inquiry, if, the Committee is of the opinion that the said child has no family or ostensible support or is in continued need of care and protection, it may allow the child to remain in the children's home or shelter home till suitable rehabilitation is found for him or till he attains the age of eighteen years."

19. Amendment of section 34: Insection 34 of the principal Act, after sub-section (2), the following sub section shall be inserted, namely:

"(3) Without prejudice to anything contained in any other law for the time being in force, all institutions, whether State Government run or those run by voluntary organisations for children in need of care and protection shall, within a period of six months from the date of commencement of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2006, be registered under this Act in such manner as may be prescribed."

20. Amendment of section 39: In section 39 of the principal Act, for the Explanation, the following Explanation shall be substituted, namely:

'Explanation : (1) For the purposes of this section "restoration of and protection of a child" means restoration to -

(a) parents;
(b) adopted parents;
(c) foster parents;
(d) guardian;
(e) fit person;
(f) fit institution;'

21. Amendment of section 41: In section 41 of the principal Act,

(i) for sub-sections (2), (3) and (4), the following sub-sections shall be substituted, namely:

"(2) Adoption shall be resorted to for the rehabilitation of the children who are orphan, abandoned or surrendered through such mechanism as may be prescribed.

(3) In keeping with the provisions of the various guidelines for adoption issued from time to time, by the State Government, or the Central Adoption Resource Agency and notified by the Central Government, children may be given in adoption by a court after satisying itself regarding the investigations having been carried out, as are required for giving such children in adoption.

(4) The State Government shall recognise one or more of its institutions or voluntary organisations in such manner as may be prescribed for the placement of orphan, abandoned or surrendered children for adoption in accordance with the guidelines notified under sub-section (3):

Provided that the children's homes and the institutions run by the State Government or a voluntary organisation for children in need of care and protection, who are orphan, abandoned or surrendered, shall ensure that these children are declared free for adoption by the Committee and all such cases shall be referred to the adoption agency in that district for placement of such children in adoption in accordance with the guidelines notified under sub-section (3)",

(ii) for sub-section (6), the following sub-section be substituted, namely:

"(6) The court may allow a child to be given in adoption-

(a) to a person irrespective of marital status;or

(b) to parents to adopt a child of same sex irrespective of the number of living biological sons or daughters; or

(c) to childless couples"

22. Substitution of new section for section 57: For section 57 of the principal Act, the following section shall be substituted, namely:

Transfer between children's homes under the Act, and juvenile homes of like nature in different parts of India : "57 The State Government may direct any child juvenile to be transferred from any children's home or special home within the State to any other children's home, special home or institution of a like nature or to such institutions outside the State in consultation with the concerned State Government and with the prior intimation to the Committee or the Board, as the case may be, and such order shall be deemed to be operative for the competent authority of the area to which the child or the juvenile is sent".

23. Amendment of section 59 : In section 59 of the principal Act, in sub-section (2), for the words "for maximum seven days", the words "for a period generally not exceeding seven days" shall be substituted.

24. Insertion of new section 62A: After section 62 of the principal Act, the following section shall be inserted namely:

Constitution of Child Protection Unit responsible for implementation of the Act: "62A. Every State Government shall constitute a Child Protection Unit for the for the State and, such Units for every District, consisting of such officers and other employees as may be appointed by that Government, to take up matters relating to children in need of care and protection and juveniles in conflict with law with a view to ensure the implementation of this Act including the establishment and maintence of homes, notification of competent authorities in relation to these children and their rehabilitaion and co-ordination with various official and non-official agencies concerned".

25. Amendment of section 64 : In section 64 of the principal Act,

(i) for the words "may direct", the words "shall direct" shall be substituted;

(ii) the following proviso and Explanation shall be inserted, namely:

"Provided that the State Government, or as the case may be the Board, may, for any adequate and special reason to be recorded in writing, review the case of a juvenile in conflict with law undergoing a sentence of imprisonment, who has ceased to be so on or before the commencement of this Act, and pass appropriate order in the interest of such juvenile.

Explanation: In all cases where a juvenile in conflict with law is undergoing a sentence of imprisonment at any stage on the date of commencement of this Act, his case including the issue of juvenility, shall be deemed to be decided in terms of clause (1) of section 2 and other provisions contained in this Act and the rules made thereunder, irrespective of the fact that he ceases to be a juvenile on or before such date and accordingly he shall be sent to the special home or a fit institution, as the case may be, for the remainder of the period of the sentence but such sentence shall not in any case exceed the maximum period provided in section 15 of this Act".

26. Amendment of section 68 : Insection 68 of the principal Act,

(a) in sub-section(1), the following proviso shall be inserted, namely:

"Provided that the Central Government may, frame model rules in respect of all or any of the matters with respect to which the State Government may make rules under this section, and where any such model rules have been framed in respect of any such matter, they shall apply to the State until the rules in respect of that matter is made by the State Government and while making any such rules, so far as is practicable, they conform to such model rules'"

(b) in sub-section (2),-

(i) in clause (x), after the words, letter and brackets "sub-section (2)", the following words, letter and brackets shall be inserted, namely:

" and the manner of registration of institutions under sub-section (3)"

(ii) after clause (xii), the following clause shall be inserted, namely:

"(xiia) rehabilitation mechanism to be resorted to in adoption under sub-section (2), notification of guidelines under sub-section (3) and the manner of recognition of specialised adoption agencies under sub-section (4) of section 41;";

(c) sub-section (3) shall be re-numbered as sub-section (4) thereof, and before sub-section (4) as so re-numbered, the following sub-section shall be inserted namely:

"(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while if is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if before the expiry of the session immediately following the session or successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule".

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ರಿಚಾರ್ಡ್ ಲೋಬೋ
ಪಿ.ಆರ್. 1
ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ,
ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 6 ಕೇಶಾಪ್ರ 2007 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 8ನೇ ಜನವರಿ 2007

2006ನೇ ಸಾಲಿನ ಸೆಪ್ಟೆಂಬರ್ 26ನೇ ದಿನಾಂಕದ ಭಾರತದ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ- II ಸೆಕ್ಷನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Produce Cess Laws (Abolition) Act, 2006 (Act 46 of 2006) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ

THE PRODUCE CESS LAWS (ABOLITION) ACT, 2006
(AS PASSED BY THE HOUSES OF PARLIAMENT)

AN

ACT

to repeal the Agricultural Produce Cess Act, 1940 and the Produce Cess Act, 1966.

Be it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:

1. Short title : This Act may be called the Produce Cess Laws (Abolition) Act, 2006.

2. Repal of Act : The Agricultural Produce Cess Act, 1940 (27of 1940) is hereby repealed.

3. Repal of Act : The Produce Cess Act, 1966 (15 of 1966) is hereby repealed.

4. Savings : (1) The repeal by this Act of any enactment shall not,

(a) after any other enactment in which the repealed enactment has been applied, incorporated or referred to;

(b) affect the validity, invalidity, efffect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

(c) affect principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed or recognised or derived by, in or from any enactment hereby repealed;

(d) revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

(2) The mention of particular matters in sub-section (1) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897, (10 of 1897) with regard to the effect of repeals.

5. Collection and payment of arrears of duties : Notwithstanding the repeal of the enactments specified in section 2 and section 3, the proceeds of duties levied under the said enactments immediately preceding the date on which the Produce Cess Laws (Abolition) Bill, 2006 receives the assent of the President,-

(i) if collected by the collecting agencies but not paid nito the Reserve Bank of India;and

(ii) if not collected by the collecting agencies,

Shall be paid or as the case may be, collected and paid into the Reserve Bank of India for being credited to the Conoslidated Fund of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ರಿಚಾರ್ಡ್ ಲೋಬೋ
ಪಿ.ಆರ್. 7 ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ,
ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 9 ಕೇಶಾಪ್ರ 2007 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 8ನೇ ಜನವರಿ 2007

2006ನೇ ಸಾಲಿನ ಸೆಪ್ಟೆಂಬರ್ 14ನೇ ದಿನಾಂಕದ ಭಾರತದ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ- II ಸೆಕ್ಷನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Protection of Human Rights (Amendment) Act, 2006 (Act 43 of 2006) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ

THE PROTECTION OF HUMAN RIGHTS (AMENDMENT) ACT, 2006
(AS PASSED BY THE HOUSES OF PARLIAMENT)
AN
ACT

further to amend the Protection of Human Rights Act, 1993..

Be it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:

1. Short title, and commencement: (1) This Act may be called the Protection of Hman Rights (Amendment) Act, 2006

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint:

2. Amendment of section 2 : (1) In section 2 of the Protection of Human Rights Act, 1993 (10 of 1994) (herein after referred to as the principal Act), in sub-section (1),

(a) for clause (f), the folloqing clause shall be substituted, namely:

'(f) " International Covenants" means the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights adopted by the General Assembly of the United Nations on the 16th December, 1966 and such other Government or Convention adopted by the General Assembly of the United Nations as the Central Government may, by notification, specify;';

(b) for clause (g), the following clause shall be substituted, namely:

'(g) " Member" means a Member of the Commission or of the State Commission, as the case may be;';

(c) for clause(i), the following clauses shall be substituted, namely:

'(i) " National Commission for the Scheduled Castes" means the National Commission for the Scheduled Castes referred to in article 338 of the Constitution;

3. Amendment of section 3: In section 3 of the principal Act,

(a) in sub-section (3), for the words "the Natioanl Commission for the Scheduled Castes and Scheduled Tribes", the National Commission for the Scheduled Castes, the National Commission for the Scheduled Tribes" shall be substituted;

(b) in sub-section (4), for the words "as it may delegate to him", the brackets, words, figures and letter "(except judicial functions and the power to make regulations under section 40B) as may be delegated to him by the Commission or the Chairperson, as the case may be" shall be substituted.]

4. Amendment of section 4 : In section 4 of the prinacipal Act,

(a) in sub-section (1), for the words "other Members", the words "the Members" shall be substituted;

(b) in sub-section (2), for the words "vacancy in the Committee" the words, brackets and figure "vacancy of any member in the Committee referred to in the first proviso to sub-section (1)" shall be substituted.

5. Substitution of new section for section 5 : For section 5 of the principal Act, the following section shall be substituted, namely:

Resignation and removal of Chairperson and Members : " 5 (1) The Chairperson or any Member may, by notice in writing under his hand addressed to the President of India, resign his office.

(2) Subject to the provisions of sub-section (3), the Chairperson or any Member shall only be removed from his office by order of the President of India on the ground of proved misbehaviour or incapacity after the Supreme Court, on refernce being made to it by the President, has, on inquiry held in accordance with the procedure prescribed in that behalf by the Supreme Court, reported that the Chairperson or the Member, as the case may be, ought on any such ground to be removed

(3) Notwithstanding anything in sub-section (2), the President may, by order, remove from office the Chairperson or any Member if the Chairperson or such Member, as the case may be,

(a) is adjudged an insolvent; or

(b) engages during his term of office in any paid emploment outside the duties of his office; or

(c) is unfit to continue in office by reason of infirmity of mind or body; or

(d) is of unsound mind and stands so declared by a competent court; or

(e) is convicted and sentenced to imprisonment for an offence which in the opinion of the President involves moral turpitude."

6. Substitution of new section for section 6 : For section 6 of the principal Act, the following section shall be substituted, namely:

Term of office of Chairperson and Members : "6 (1) A person appointed as Chairperson shall hold office for a term of five years from the date on which he enters upon his office or until he attains the age of seventy years, whichever is ealier.

(2) A person appointed as a Member shall hold office for a term of five years from the date on which he enters upon his office and shall be eligible for re-appointment for another term of five years:

Provided that no Member shall hold office after he has attained the age of seventy years.

(3) On ceasing to hold office, a Chairperson or a Member shall be ineligible for further employment under the Government of India or under the Government of any State."

7. Substitution of new section for section 8 : For section 8 of the principal Act, the following section shall be substituted, namely:

Terms and conditions of service of Chairperson and Members : "8. The salaries and allowances payable to, and the other terms and conditions of service of, the Chairperson and Members shall be such as may be prescribed:

Provided that neither the salary and allowances nor the other terms and conditions of services of the Chairperson or Member shall be varied to his disadvantage after his appointment".

8. Amendment of section 10: Insection 10 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:

"(2) Subject to the provisions of this Act and rules made there under, the Commission shall have the power to lay down by regulations its own procedure".

9. Amendment of section 12 : In section 12 of the principal Act,

(a) in clause (a), after the words "or any person on his behalf ", the words "or on a direction or order of any court" shall be inserted;

(b) for clause (c), the following clause shall be substituted, namely:

"(c) visit, notwithstanding anything contained in any other law for the time being in force, any jail or other institution under the control of the State Government, where person are detained or lodged for purposes of treatment, reformation or protection, for the study of the living conditions of the inmates thereof and make recommendations thereon to the Government;"

10. Amendment of section 13: In section 13 of the principal Act, after sub-section (5), the following sub-sections shall be inserted, namely:

"(6) Where the Commission considers it necessary or expedient so to do, it may by order, transfer any complaint filed or pending before it to the State Commission of the State from which the complaint arises,for disposal in accordance with the provisions of this Act:

Provided that no such complaint shall be transferred unless the same is one respecting whivch the state Commission has jurisdiction to entertain the same.

(7) Every complaint transferred under sub-section (6) shall be dealt with and disposed of by the State Commission as if it were a complaint initially filed before it".

11. Substitution of new section for section 18 : For section 18 of the Principal Act, the following section shall be substituted, namely:

18. Steps during and after inquiry : "18 The Commission may take any of the following steps during or upon the competion of an inquiry held under this Act, namely:

(a) where the inquiry discloses the commission of violation of human rights or negligence in the prevention of violation of human rights or abetment thereof by a public servant, it may recommend to the concerned Government or authourty

(i) to make payment of compensation or damages to the complainant or to the victim or the members of his family as the Commission may consider necessary;

(ii) to initite proceedings for prosecution or such other suitable action as the Commission may deem fit against the concerned person or person:

(iii) to take such further action as it may think fit;

(b) approach the Supreme Court or the High Court concerned for such directions, orders or writs as that Court may deem necessary;

(c) recommend to the concerned Government or authority at any stage of the inquiry for the grant of such immediate interim relief to the victim or the members of his family as the Commission may consider nesessary;

(d) subject to the provisions of clause (e), provide a copy of the inquiry report to the petitioner or his representative;

(e) the Commission shall send a copy of its Inquiry report together with its recommendations to the concerned Government or authority and the concerned Government or authority shall, within a period of one month, or such further time as the Commission may allow, forward its comments on the report, including the action taken or proposed to be taken thereon, to the Commission;

(f) the Commission shall publish its inquiry report together with the comments of the concerned Government or authority, if any, and the action taken or propoesd to be taken by the concerned Government or authority on the recommendations of the Commission".

12. Amendment of section 21 : In section 21 of the principal Act,

(a) for sub-section (2), the following sub-section be substituted, namely:

"(2) The State Commission shall, with effect from such date as the State Government may by notification specify, consist of

(a) a Chairperson who has been a Chief Justice of High Court:

(b) one Member who is, or has been, a Judge of a High Court or District Judge in the State with a minimum of seven years experience as District Judge;

(c) one Member to be appointed from among persons having Knowledge of or parctical experience in matters relating to human rights.";

(b) after sub-section (5), the following sub-section shall be inserted, namely:

"(6) Two or more State Governments may, with the consent of a Chairperson or Member of a State Commission, appoint such Chairperson or, as the case may be, such Member of another State Commission simultaneously if such Chairperson or Member consents to such appointment:

Provided that every appointment made under this sub-section shall be made after obtaining the recommendatins of the Committee referred to in sub-section (1) of section 22 in respect of the State for which a common Chairperson or Member, or both ,as the case may be, is to be appointed".

13. Amendment of section 22: In section 22 of the principal Act,

(a) in the marginal heading for the words "other Members" the word "Members" shall be substituted;

(b) in sub-section (1), for the words "other Members" the word "Members" shall be substituted;

(c) in sub-section (2), for the words "any vacancy in the Committee" the words, brackets and Figure "any vacancy of any Member in the Committee referred to in sub-section (1)" shall be substituted.

14. Amendment of section 23 : In section 23 of the principal Act,

(a) for the marginal heading "Removal of a Member of the State Commission", the marginal heading "Resignation and Removel of Chairperson or a Member of the State Commission" shall be substituted;

(b) for sub-section (1), the following sub-sections shall be substituted, namely:

" (1) The Chairperson or a Member of State Commission may, by notice in writing under his hand addressed to the Governor, resign his office.

(1A) Subject to the provisions of sub-section (2), the Chairperson or any Member of the State Commission shall only be removed from his office by order of the President on the ground of proved misbehaviour or incapacity after the Supreme Court, on a reference being made to if by the President, has, on inquiry held in accordance with the procedure prescribed in that behalf by the Supreme Court, reported that the Chairperson or such Member, as the case may be, ought on any such ground to be removed";

(c) in sub section (2),

(a) for the word brackets and figure "sub-section (1)", the word, brackets, figure and letter "sub-section (1A)" shall be substituted;

(b) for the words "other Member" at both the places where they occur, the word "Member" shall be substituted.

15. Substitution of new section for section 24 : For section 24 of the principal Act, the following section shall be substituted, namely:

Term of office of Chairperson and Members of the State Commission : "24 (1) A person appointed as Chairperson shall hold office for a term of five years from the on which he enters upon his office or until he attains the age of seventy years, whichever is earlier.

(2) A person appointed as a Member shall hold office for a term of five years from the date on which he enters upon his office and shall be eligible for re-appointment for another term of five years:

provided that no Member shall hold office after he has attained the age of seventy years.

(3) On ceasing to hold office, a Chairperson or a Member shall be ineligible for further employement under the Government of a State or under the Government of a State of a under the Government of India."

16. Substitution of new section for section 26: For section 26 of the principal Act, the following section shall be substituted, namely:

Terms and conditions of service of Chairperson and Members of state Commissions : 26 .The salaries and allowances payable to, and other terms and conditions of service of, the Chairperson and Members shall be such as may be prescribed by the State Government:

Provided that neither the salary and allowances nor the other terms and conditions of service of the Chairperson or a Member shall be varied to his disadvantage after his appointment."

17. Amendment of section 40 : In section 40 of the principal Act, in sub-section (2), in clause (a), for the word "Members" the words " Chairperson and Members" shall be substituted.

18. Institution of new section 40 B: After section 40 A of the principal Act, the following section shall be inserted, namely:

Power of Commission to make regulations : "40B. (1) Subject to the provisions of this Act and the rules made therunder, the commission may, with the previous approval of the Central Government, by notification, make regulations to carry out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power,such regulations may provide for all or any of the following matters, namely:

(a) the procedure to be followed by the Commission under sub-section (2) of section 10;

(b) the returns and statistics to be furnished by the State Commissions;

(c) any other matter which has to be, or may be, specified by regulations.

(3) Every regulation made by the Commission under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter effect only in such modified form or be of no effect, as the case may be;so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation".

19. Amendment of section 41 : In section 41 of the principal Act,, in sub-section (2), in clause (a), for the words "the Members" the words "the Chairperson and Members" shall be substituted.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ರಿಚಾರ್ಡ್ ಲೋಬೋ

ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ,

ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 13

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 10 ಕೇಶಾಪ್ರ 2007 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 8ನೇ ಜನವರಿ 2007

2006ನೇ ಸಾಲಿನ ಸೆಪ್ಟೆಂಬರ್ 14ನೇ ದಿನಾಂಕದ ಭಾರತದ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ- II ಸೆಕ್ಷನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Pondicherry (Alteration of Name) Act, 2006 (Act 44 of 2006) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ

THE PONDICHERRY (ALTERATION OF NAME) ACT, 2006
(AS PASSED BY THE HOUSES OF PARLIAMENT)

AN

ACT

to alter the name of the Union territory of Pondicherry.

Be it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:

1. Short title, and commencement: (1) This Act may be called the Pondicherry (Alteration of Name) Act, 2006

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint:

2. Definitions : In this Act, unless the context otherwise requires

(a) "appointed day" means the date appointed under sub-section (2) of section 1 for the coming into force of this Act;

(b) "appropriate Government" means the Central Government, and as respects a law relating to a matter enumerated in the State List or the Concurrent List in the Seventh Schedule to the Constitution in so far as any, such matter is applicable in relation to the Union territory of Puducherry, also the administrator of the Union territory of Puducherry;

(c) "law" includes any enactment, Ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having the force of law in the whole or any part of the Union territory of Pondicherry.

3. Alteration of name of the Union territory of Pondicherry : As from the appointed day, the Union territoty of Pondicherry shall be known as the Union territory of Puducherry.

4. Amendment of Part VIII of the Constitution : In Part VIII of the Constitution, for the word "Pondicherry", wherever it occurs, the word "Puducherry" shall be substituted.

5. Amendment of First Schedule to the Constitution : In the First Schedule to the Constitution, under the heading "II. THE UNION TERRITORIES", in entry 6, under the column "Name", for the word Pondicherry", the word "Puducherry" shall be substituted.

6. Amendment of Fourth Schedule to the Constitution : In the Fourth Schedule to the Constitution, under the heading "TABLE", in entry 30, in the second column, for the word "Pondicherry" the word "Puducherry" shall be substituted.

7. Amendment of section 2 of Act 20 of 1963 : In the Government Union Territories Act, 1963, in section 2, in sub-section (1), in clause (h), for the word"Pondicherry" the word "Puducherry" shall be substituted.

8. Power to adapt laws : (1) For the purpose of giving effect to the alteration of the name of the Union territory of Pondicherry by section 3, the appropriate Government may, before the expiration of one year from the appointed day, by order, make such adaptations and modifications of any law made before the appointed day, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made.

(2) Nothing in sub-section (1) shall be deemed to prevent Parliament or Legislative Assembly of the Union territory of Puducherry or other competent authority from repealing or amending any law adapted or modified by the appropriate Government under the said sub-section.

9. Power to construe laws : Notwithstanding that no provision or insufficient provision has been made under section 8 for adaptation of law made before the appointed day, any court, tribunal or authority, required or empowered to enforce such law, may construe the law in such manner.without affecting the substance, as may be necessary or proper in regard to the matter before the court, tribunal or authority.

10. Legal proceedings : Where immediately before the appointed day any legal proceedings are pending to which the administrator of the Union territory of Pondicherry is a party, or the Union of India represented by the said administrator is a party, then, for the purposes of those proceedings,any reference to the administrator of the Union territory of Pondicherry shall be construed as a reference to the administrator of the Union territory of Puducherry.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ರಿಚಾರ್ಡ್ ಲೋಬೋ
ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ,
ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 14

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ
ಅಧಿಸೂಚನೆ
ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 8 ಕೇಶಾಪ್ರ 2007 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 8ನೇ ಜನವರಿ 2007

2006ನೇ ಸಾಲಿನ ಆಗಸ್ಟ್ 22ನೇ ದಿನಾಂಕದ ಭಾರತದ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ– II ಸೆಕ್ಷನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Sprirituous Preparations (Inter-State Trade and Commerce) Control (Repeal) Act, 2006(Act 32 of 2006) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ

THE SPIRITUOUS PREPARATIONS (INTER-STATE TRADE AND COMMERCE) CONTROL (REPEAL) ACT, 2006
(AS PASSED BY THE HOUSES OF PARLIAMENT)
AN
ACT

to repeal the Spiritious Preparations (Inter-State Trade and Commerce) Control Act 1955.

Be it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:

1. Short title : (1) This Act may be called the Spirituous Preparations (Inter-State Trade and Commerce) Control (Repeal) Act, 2006

2. Repeal of Act 39 of 1955: The Spirituous Preparations (Inter-state Trade and Commerce) Control Act, 1955 is hereby repealed.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ರಿಚಾರ್ಡ್ ಲೋಬೋ
ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ,
ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 12

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ
ಅಧಿಸೂಚನೆ
ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 3 ಕೇಶಾಪ್ರ 2007 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 8ನೇ ಜನವರಿ 2007

2006ನೇ ಸಾಲಿನ ಸೆಪ್ಟೆಂಬರ್ 14ನೇ ದಿನಾಂಕದ ಭಾರತದ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ– II ಸೆಕ್ಷನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Central Silk Board (Amendment) Act, 2006 (Act 42 of 2006) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ

THE CENTRAL SILK BOARD (AMENDMENT) ACT, 2006
AN
ACT

further to amend the Central Silk Board Act, 1948.

Be it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:

1. Short title and Commencement : (1) This Act may be called the Central Silk Board (Amendment) Act, 2006.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Amendment of section 3 : In the Central Silk Board Act, 1948 (61 of 1948) (hereinafter referred to as the principal Act), in section 3,

(i) after clause (a), the following clause shall be inserted, namely:

'(aa) "Central Silk- worm seed Testing Laboratory" means the Central Seed Testing Laboratory established or accerdited under sub-section (1) of section 8G;

(ii) after clause (b), the following clauses shall be inserted, namely:

'(ba) "Committee" means the Central Silk-worm Seed Committee constituted under sub-section (1) of section 8A;

(bb)"dealer" means a person who carries on the business of buying and selling, export or import of silk-worm seed, cocoons, chawkie reared silk-worms and includes an agent of a dealer;

(bc) "export" means taking out of India to a place outside Indai;';

(iii) after clause (c), the following clauses shall be inserted, namely:

'(ca) "Hybrid Authorisation Committee" means the Hybrid Authorisation Committee constituted under sub-section (1) of section 8D;

(cd) "import" means bringing into India from a place outside India;

(cc) "notified kind or variety" in relation to silk-worm seed means, any kind or variety thereof notified under sub-section (1) of section 8C;';

(iv) after clause (e), the following clauses shall be inserted, namely:

'(ea) "Registration Committee" means the Registration Committee constituted under sub-section (2) of section 8E;

(eb) "regulation" means regulation made by the Committee under this Act;

(ec)"silk-worm seed" or "seed" means all kinds of silk-worm seeds produced from the pure silk-worm races including the hybrids produced from two or more pure races, silk-worm seed cocoons of all kinds and moths thereof intended to be used or reared for the purpose of production or for commercial exploitation.

Explanation : For the purposes of this clause,

(i) "pure races" means silk-worm breed or varity maintained through reprouductive silk-worm seed with features true to the parents;

(ii) "hybrids" means the produced involving two or more pure races or parental races with the objective of exploiting heterosis or hybrid vigour;

(ed) "Silk-worm Seed Analyst" means a Seed Analyst appointed or notified under sub-section (3) of section 8G;

(ee) "Silk-worm Seed Certification Agency" means the Silk-worm Seed Certification Agency constituted or accredited under section 8F;

(ef) "Silk-worm Seed Officer" means Seed Officer appointed or notified under sub-section (1) of section 8H;

3. Substitution of references to certain expressions by certain other expressions : Throughout the principal Act, for the words "Chairman" or "Vice-Chairman" wherever they occur, the words "Chairperson" or "Vice-Chairperson" shall respectively be substituted.

4. Amendment of section 4 : In section of principal Act, in sub-section (3),

(i) for clause (b), the following clause shall be substituted, namely:

"(b) not more than three officials to be nominated by the Central Government, one of whom shall be the head of the Silk Division in the Ministry of Textiles as the Vice-Chairperson and one shall the Secretary of the Board, both being the officers not below the rank of Joint Secretary to the Government of India;";

(ii) after clause (c), the following proviso shall be inserted, namely:

"Provided that a member of Parliament shall, upon ceasing to be a member of the House of the People or as the case may be, the Council of States, cease to be a member of the Board";

(iii) for clause (g), the following clause be substituted, namely:

"(g) one person to be nominated by each of the Government of Andhra Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Jharkhand, Madhya Pradesh, Uttar Pradesh and Uttaranchal;"

5. Insertion of new section 4 A : After section of the Principal Act, the following section shall be inserted, namely:

Disqualification for being nominated or appointed as a member of Board : "4A. A person shall be disqualified for being nominated or appointed or for continuing as a member, if he-

(a) is not a citizen of India; or

(b) has been convicted and sentenced to imprisonment for an offence which, in the opinion of the Central Government, involves moral turpitude; or

(c) is an undischarged insolvent : or

(d) has become physically or mentally incapable of acting as a member ; or

(e) has acquired such financial or other interest as is likely to affect prejudicially his function as a member."

6. Amendment of section 6 : In section 6 of the principal Act, in sub-section (1), for the words "The Central Government shall appoint from among the members of the Board, a Vice-Chairman who shall", the words "The Vice-Chairperson shall" shall be substituted.

7. Amendment of section 7 : In section 7 of the principal Act, for the words "The Central Government shall appoints a Secretary to the Board, who shall," the words "The Secretary to the Board shall" shall be substituted.

8. Amendment of section 8 : In section 8 of the principal Act, in sub-section (3), for clause(a), the following clause shall be substituted, namely:

"(a) to advise the Central Government on all matters relating to production, supply, distribution, trade and commerce in silk-worm seed, the development of the silk industry and its products including export and import,"

9. Insertion of new sections 8A to 8J : After section 8 of the principal Act, the following sections shall be inserted, namely :

Constitution of Central Silk-worm Seed Committee : "8A. (1) The Central Government may, by notification in the Official Gazette, constitution for the purposes of this Act, a Committee to be called the Central Silk-worm Seed Committee consisting of

(a) the Vice-Chairperson of the Board who shall be the Chairperson of the Committee, ex officio;

(b) (i) seven officials not below the rank of Deputy Secretary to the Government of India dealing with sericulture from the States-members;

(ii) two experts from the field of silk-worm seed development -members;

(iii) five persons to represent the sericulture sector of whom three shall be the farmers and two the reelers-members;

to be nominated by the Central Government from amongst the members of the Board;

(c) the Director of the National Silk-worm Seed Organisation to be nominated by the Central Government -member; and

(d) Secretary of the Board who shall be the Secretary of the Committee, ex officio

(2) The Committee may associate with it, for such purposes and in such manner as it any deem fit, any person whose assistance or advice it may consider necessary in complying with the provisions of this Act, and a person so associated, shall have the right to take part in the proceedings of the proceedings of the Committee relevant to the purposes for which he has been associated, but shall not have the right to vote and shall be entitled to receive such allowances or fees as may be prescribed by the Central Government.

(3) A member nominated under sub-section (1) shall, unless his seat becomes vacant earlier by resignation, death or otherwise, hold office for a period of the three years from the date of this nomination and shall be eligible for re-nomination:

Provided that a person nominated under sub-section (1) shall hold office only for so long as he holds the appointment by virtue of which his nomination was made.

(4) No act or proceeding of the Committee shall become invalid merely by reason of-

(i) any vacancy therein, or any defect in the constitution thereof; or

(ii) any matter relating to the procedure of the Committee not affecting the merits of a case.

(5) The Central Government shall provide to the Committee such other technical and other officers and employees as may be necessary for the efficient performance of the functions under this Act.

(6) (a) The Committee shall meet at such time amd place and shall observe such procedure in regard to transaction of business at its meeting (including the quorum at meetings) as may be specified by regulations.

(b) The Chairperson or in his absence any member chosen by the members present from amongst themselves, shall preside at a meeting of the Committee.

(c) All questions at a meeting of the Committee shall be decided by a majority of votes of the members present and voting and in case of equality of votes, the Chairperson or in his absence, the person residing over the meeting shall have a second or casting vote.

8B. Powers and functions of Committee : (1) The Committee shall be responsible for the implementation of this Act by taking measures as specified in sub-section (2)

(2) Without prejudice to the generality of the foregoing provision, the measures referred to therein may provide for-

(i) laying down of quality standards for kind or variety of silk-worm seed;

(ii) authorisation of silk-worm races and hybrids for commercial explotation;

(iii)laying down of quality standards for production of silk-worm seeds;

(iv) laying down the conditions and requirements that have to be met out by the persons desirous of setting up facilities for production of silk-worm seeds or grainages;

(v) laying down the certification and silk-worm seed testing procedures for seeds sold by the registered producers;

(vi) undertaking the registration of silk-worm seed producers and dealers and controlling, supervising the inspection process to ensure adherence to the specified quality standards and seed certification requirements;

(vii) laying down the conditions and standards for export and import of silk-worm seed and adherence to them;

(viii) programming and planning of silk-worm seed production;

(ix) advising the Central Government and the State Governments on the matters aforesaid; and

(x) such other matters connected and incidental to the production, supply, distribution, trade and commerce in silk-worm seed,

as may be specified by regulations made by the Committee from time to time.

8C. Power to notify kinds or varieties of silk-worm seeds : (1) If the Central Government, after consultation with the Committee, is of the opinion that it is necessary or regulate the quality of silk-worm seed of any kind or variety for the purpose of production and for commercial exploitation, it may, by notification in the Official Gazette, declare such kind or variety to be a notified kind or variety for the purposes of this Act and different kinds or varieties may be notified for different States or for different areas thereof, and it shall be incumbent upon every producer or dealer of such silk-worm seeds to deal with such notified kinds and varieties of silk-worm seeds and varieties of silk-worm seeds and in on other.

(2) The Central Government may, on the recommendation of the Committee, by notification, specify-

(a) the minimum quality standards and condations for notified kinds or varieties of silk-worm seed; and

(b) the mark or label to indicate that such silk-worm seed conforms to the specified quality standards.

8D Hybrid Authorisation Committee : (1) The Committee shall constitute a Hybrid Authorisation Committee consisting of the Secretary of the Board who shall be the Chairperson of the Hybrid Authorisation Committee may determine.

(2) It shall be the duty of the Hybrid Authorisation Committee to either suo motu or on the application made to it and after due trials, testing and such other requirements, as it may deem necessary to satify itself, recommend to the Committee of the kind or variety of silk-worm seed, silk-worm hybrid seeds and races available in the market for notification by the Central Government for production and commercial exploitation.

8E. Registration Committee : (1) No silk-worm seed of any kind or variety shall, for the purpose of production or for commercial exploitation, be produced, supplied, distributed, traded, sold or otherwise disposed of by a producer or dealer unless he is registered by the Registration Committee in such manner as may be prescribed.

(2) The Committee shall constitute the Registration Committeee consisting of a Chairperson and such number of other members not less then two to assist him in the discharge of his duties as the Committee, may determine.

(3) The Registration Committee shall have power

(a) to register the silk-worm seed of the notified kind or variety after scrutinising claims that the silk-worm seed conforms the kind or variety duly notified by the Central Government;

(b) to register the silk-worm seed producer after ensuring that the facility for seed production meets the requirement or conditions for maintaining quality standards as notified by the Central Government;

(c) to register the silk-worm dealer after scrutinsing their claim made in the application;

(d) to perform such other functions as are assigned to it by the Committee.

(4) Every application for registration under sub-section (1) shall be made in such form and contain such particulars including conditions and be accompanied by such fees as may be prescribed.

8F. Constitution of Seed Certification Agency : The Committee may, by order, constitute one or more Silk-worm Seed Certification Agencies or accredit the existing certification agencies according to such criteria as may be specified by regulations to conduct inspection for registration of producers and dealers.

8G.Constitution of Central Seed Testing Laboratories : (1) The Committee may, by order, establish the Central Seed Testing Laboratories and accerdit the existing laboratories of the Board or the State Governments having such faciliities as may be specified by regulations.

(2) The Central Seed Testing Laboratories and the accredited laboratories shall carryout such functions as may be entrusted to it by the Committee from time to time.

(3) The Committee may, by order, appoint such person as it thinks fit or notify the officials or employees of the accredited laboratories having such qualifications as may be specified by regulations to be the Seed Analyst in the Seed Testing Laboratories and define the local limits of their jurisdiction.

8H.Appointment of Seed Officers : (1) The Committee may, by order, appoint such person as it thinks fit, or notify an emploee of the Board having such qualifications as may be specified by regulations to be the Seed Officers and define the local limits of their jurisdiction.

(2) Every Seed Officer shall be under the administrative Control of the Committee and shall be responsible for inspecting the seeds and the facilites available with the seed producers and dealers before or after their registration to ensure adherence to the standards and condtions laid down in this regard.

(3) The Seed Officer may-

(a) take samples of any silk-worm seed of any kind or variety from-

(i) any producer or dealer ;or

(ii) any person who is in the course of conveying such seed to a purchaser or a consignee; or

(iii) a purchaser or a consignee after delivery of such sheed to him;

(b) exercise such other powers as may be specified by regulations.

8-I Export and Import of Silk-worm Seed : (1) The Committtee shall advise the Central Government from time to time on the export and import of silk-worm seed and the Central Government may, by notification, specify the terms and conditions including exim policy for export and import of silk-worm seed.

(2) All import of silk-worm seed shall conform to the quality standards specified under sub-section (2) of section 8C.

(3) For the purpose of ensuring compliance with the conditions and quality standards for governing such import, the Central Government may, by order, authorise officers of the level of Assistant Commissioner to exercise the powers of inspection at the borders and ports, and such officers shall be deemed to be the Seed Officers for the purposes of this Act.

(4) The Central Government may, by notification, permit for research purposes, import of an unregistred variety of silk-worm seed in such quantity and subject to such conditions as may be specified.

(5) The Central Government may, by notification, restrict the export or import of silk-worm seed of any kind or variety if it considers that it may adversely affect the silk industry or on such other grounds, as it may consider necessary.

8J. Statement by silk-worm seed producers : Every registered silk-worm seed producer and dealer shall furnish periodic statement to the Committee in such form, manner and at such intervals as may be specified by regulations".

10. Amendment of section 13 : In section 13 of the principal Act,

(i)in sub-section (2),

(a) after clause (xv), the following clauses shall be inserted, namely:

"(xva)specifying the allowances or fees of the persons associated by the Committee under sub-section (2) of section 8A;

(xvb) matters incidental to the production, supply, distrbytion, trade and commerce in silk-worm seed under clause (x) of sub-section (2) of section 8B;

(xvc) manner of registration of a producer or dealer by the Registration Committee under sub-section (1) and form for making application and fees to be paid under sub-section (4) of section 8E;";

(b) for clause (xix), the following clause shall be substituted, namely:

"(xix) the manner of grading marketing, developing and distributing raw silk and products of silk industry;";

(ii) sub-section (3) shall be omitted.

11. Insertion of new sections 13A and 13B. Power to make regulations : After section 13 the principal Act, the following sections shall be inserted, namely:

Power to make regulations : "13A. (1) The Committee may, in consulatation with the Board, and with the previous approval of the Central Government, by notification, make regulations not inconsistent with the provisipons of this Act and the rules made thereunder, to provide for all matters for which provisions is necessary or expedient for the purpose of giving effect to the provisions of this Act.

(2) In particular, and without prejudice to the gernerality of the foregoing power, such regulations may provide for all or any of the following matters, namely:

(i) procedure in regard to transaction of business at meeting of the Committee under clause (a) of sub-section (6) of section 8A;

(ii) laying down of various standards relating to kinds or varieties, production, testing, supply, distribution, trade and commerce and export and import of silk-worm seed under sub-section (2) of section 8E;

(iii) to specify the criteria for establishing Central Silk-worm Seed Certification Agencies under section 8F, criteria and jurisdiction of Central Seed Testing Laboratories and qualifications of Seed Officers and their other powers under sub-section (1) and clause (b) of sub-section (3) of section 8H;

(iv) the form, manner and intervals at which statement by producer and dealer may be funished under section 8J.

13B. Laying of rules, regulations and notifications : Every rule, regulation and notification made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or notification or both Houses agree that the rule or regulation or notification should not be made, the rule or regulation or notification shall thereafter have effect only in such modified form or be of no effect,as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation or notfication.".

12. Amendment of section 14 : In section 14 of the principal Act, in sub-section (1), in clause (b), after the word "Board", the words "Committee and Registration Committee" shall be inserted.

13B. Insertion of new section 14A : After section 14 of the principal Act, the following section shall be inserted; namely;

Penalty for contravention of section 8C and 8E : "14A. If any person contravenes of sections 8C and 8 E of this Act or regulations made there under or any notification relating to silk-worm seed he shall be punishable with a fine of five thousand rupees which may extend to twenty-five thousand rupees besides suspension or cancellation of the registration to produce silk-worm seeds".

14. Omission of sections 15 and 15A: Section 15 and section 15A of the principal Act shall be omitted.

15. Insertion of new section 16A: After section 16 of the principal Act, the following section shall be inserted, namely:

Effect of Act and rules, etc., Inconsistent with other enactments : "16A. The provisions of this Act or any rule or regulation made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or any instrument having effect by virtue of any enactment other than this Act".

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ರಿಚಾರ್ಡ್ ಲೋಬೋ
ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ,
ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 11